

Appl. Serial No.: 10/757,754
Amendment dated May 2, 2005
Reply to Office action of February 2, 2005

REMARKS

Claims 1-9, 11-17, 19, and 21-24 remain in the application. By this amendment, claims 10, 18, and 20 have been cancelled and claims 1, 4, 5, 11, 13, 14, 19, and 21 have been amended. The present application as originally filed supports these amendments. No new matter has been added.

Claim Objections

Claims 4 and 5 have been objected to. Claims 4 and 5 have been amended to overcome this objection.

Claim Rejections

Claims 1-24 have been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,982,844 to Tybinkowski and U.S. Patent No. 5,937,028 to Tybinkowski et al.

In response, claim 1 has been amended. Claim 1 as amended recites a scanner system including a gantry having a rotatable component ring, an x-ray source and an x-ray detector array secured to the rotatable component ring, an x-ray containment shield enclosing the x-ray source and the x-ray detector array and secured to the rotatable component ring; first and second non-rotating x-ray containment tunnels extending from the rotating x-ray containment shield, and a continuous conveyor belt including a forward path extending through the tunnels and the gantry and a return path extending outside the tunnels and the gantry.

Applicant respectfully submits that neither Tybinkowski or Tybinkowski et al. teach or suggest a scanner system as recited in claim 1, whether these references are considered alone or in combination. In particular, Tybinkowski et al. shows a conveyor (32) passing through a gantry (49), but does not disclose or suggest a return path of a conveyor extending outside tunnels and a

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gantry. Tybinkowski also does not disclose or suggest a return path of a conveyor extending outside tunnels and a gantry.

Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1-9, 11-17, 19, and 21-24 under 35 U.S.C. 103(a) as being unpatentable over Tybinkowski in view of Tybinkowski et al.

Conclusion

In view of the amendments and remarks submitted herein, applicant believes that all claims pending in the application are in condition for allowance and respectfully requests such allowance. If a telephone conference will expedite prosecution of the application the Examiner is invited to telephone the undersigned. If additional fees are required, or otherwise necessary to cover any deficiency in fees already paid, authorization is hereby given to charge our deposit account no. 50-1133.

Respectfully submitted,

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